## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

WILLIAM THOMPSON,	)
Plaintiff,	) Case No. 1:05CV00109
v.	ORDER
VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES,	<ul><li>) By: James P. Jones</li><li>) Chief United States District Judge</li></ul>
Defendant.	, )

The court held a pretrial conference pursuant to Federal Rule of Civil Procedure 16 on February 7, 2006. For the reasons stated on the record, it is **ORDERED** as follows:

- 1. The plaintiff's sole claim in this case is that he is entitled to money damages from the Virginia Department of Game and Inland Fisheries pursuant to Title II of the Americans with Disabilities Act, 42 U.S.C §§ 12101, et seq., and/or Section 504 of the Rehabilitation Act, 29 U.S.C. § 794, on the ground that he was discriminated against at some time prior to October 2005 on account of a disability when he was denied permission by the Virginia Department of Game and Inland Fisheries to use an electric scooter on pedestrian access areas;
  - 2. All other claims and defendants are dismissed:
- 3. The Motion for Reconsideration is denied, without prejudice to any future motion for summary judgment;
  - 4. The case will not be set for trial at this time.

ENTER: February 7, 2006

/s/ JAMES P. JONES
Chief United States District Judge